IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1750 OF 2005
IN
CRI.APPEAL NO. 1332 OF 2004

Nagendra Vedprakash Pande
@ Sharma ..Applicant

Vs.

The State of Maharashtra ..Respondent

....

Mr.Pritam Punwal for Applicant
Mr.V.B.Konde-Deshmukh APP for State

....

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : JUNE 21 2005

P.C.

1. Heard both sides.

2. The applicant has been mainly convicted under Section 392 read with Section 397 of IPC. It is the prosecution case that P.W.16 Dr.Sanjay Kasaliwal along with his family members was proceeding to his relations house. On the way, his car came to be stopped by persons who were armed.

A bullet came to be fired by one of those persons on his father who had received injury. 'Mangalsutra' of the wife of P.W.16 Dr.Sanjay also came to be robbed during the said incident. In the present case, none of the witnesses i.e. P.W.2 Mr.Kasaliwal or his son P.W.16 Dr.Sanjay Kasaliwal have identified the present applicant as having taken part in the said incident, so also there is no recovery of stolen property or any weapon at the instance of the applicant. In this view of the matter, I am inclined to grant bail to the applicant.

3. The applicant to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount. The sureties shall be from the State of Maharashtra.

4. Application is disposed of.

[V.K.TAHILRAMANI,J.]